HIGH COURT OF CHHATTISGARH, BILASPUR

W.P. (S) No. 6893 of 2007

PETITIONER Lalit Kumar Naik, aged about 48 years, s/o Shri Ishwar Naik, Occupation Service, at present working as Office Assistant, Grade III, Chhattisgarh State Electricity Board Sariya, Distt. Raigarh (C.G) R/o village Bar Block Baramkela Tahsil, Sarangarh, Distt. Raigarh (C.G).

Versus

RESPONDENTS

1 Chhattisgarh State Electricity Board through its Chairman, C.S.E.B., Headquarters Danganiya, Distt. Raipur (C.G).
2 Karyapalan Yantri, (SU Evam San) C.S.E.B. Division, Raigarh, Distt. Raigarh (C.G).
3 Atrikt Adhikshan Yantri (Su. Evam San), C.S.E.B., Division Raigarh, Distt. Raigarh (C.G).
4 Sahayak Yantri (Vitt.) Sub Division, C.S.E.B., Sarangarh, Distt. Raigarh (C.G).
5 Kanisht Yantri, C.S.E.B., Sariya, Distt. Raigarh (C.G).

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

Shri Roop Naik, counsel for the petitioner.

ORAL ORDER
(26.11.2007)

SUNIL KUMAR SINHA, J.

Heard on admission.

The petitioner, who is working as Office assistant Grade-III, in C.S.E.B., has challenged the validity of show cause notice dated 23.7.2002 (Annexure P-5). He has also prayed for a direction to pass an appropriate order after considering his reply dated 14.8.2002 which he had filed after receiving show cause notice.

A perusal of the record would show that on 23.7.2002, a show cause notice was issued to the petitioner by the C.S.E.B. saying that why the annual increments with cumulative effect

may not be withheld for the allegations made against the petitioner in the show cause notice.

Learned counsel for the petitioner submits that the petitioner had filed reply to the show cause notice on 14.08.2002 but no final decision has been taken till date and the matter is still pending before the concerned authority in the form of departmental enquiry. He submits that in these circumstances, after lapse of about 5 years, this petition has been filed for quashment of the notice as also for the direction.

Since the factual aspects have been raised in the show cause notice, therefore, I am not inclined to interfere with the notice at this stage. But, looking to the fact that a reply was already filed on 14.8.2002 and about 5 years have lapsed after issuance of show cause notice and the enquiry is still pending, as stated by learned counsel for the petitioner, I deem it appropriate to dispose of this petition with an observation that if the enquiry pending against the petitioner has not been disposed of till date, it shall be concluded by the concerned authorities at the earliest preferably not beyond the period of six months from the date of filing of the certified copy of this order before the concerned authority.

With the above observations, this petition stands finally disposed of at the motion stage itself.

C.c. as per rules.

Sd/-
Sunil Kumar Sinha
Judge

/Rao/